

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
TUESDAY, APRIL 21, 2015
6:30 P.M.**

APPROVED

SELECTMEN PRESENT: Ballantine, Cebula, Hughes, LaMantia, McManus

OTHERS PRESENT: Town Administrator Christopher Clark, John Rendon, Dorothy Harder, Richard Gunderson, Wayne Kucha-Stone, Matt Hart and others.

MEETING CALLED TO ORDER at 6:30 p.m. by Chairman Ballantine.

Chairman Ballantine reported that the Board had just come out of Executive Session where they received updates on the Hall, Downey and Sutphin properties.

PUBLIC COMMENT/ANNOUNCEMENTS

Chairman Ballantine reported that we have received a resignation letter from Assistant Town Administrator Julie Quintero-Schulz effective July 31, 2015.

Chairman Ballantine noted that he was asked to read a statement from Paula Myles objecting to getting the initial design on the Route 28 project but he would not be reading it as it would set a precedent but asked that the letter be added to the minutes (attached).

A. Update on closing of Disposal Area project

Mr. Clark noted that the old components of the push pit at the Transfer Station have been removed and they are in the process of installing the new ones.

CONSENT AGENDA

A. Approve Minutes

1. February 9, 2015 Executive Session
2. February 23, 2015 Executive Session
3. March 23, 2015 Regular Session
4. March 30, 2015 Regular Session
5. March 30, 2015 Executive Session

B. Approve the application for the Alzheimer's Walk Permit to be held on May 9, 2015

C. Approve application for renewal of Common Victualler License for Philbrick's

D. Approve the 2015 Summer Concert Series held during July at Brooks Park

E. Approve Caleb Chase request in the amount of \$700.00

F. Approve re-appointment of Larry Cole as Harwich's representative to the Cape & Vineyard Electric Cooperative

Mr. McManus moved approval of the Consent Agenda and the recommended actions thereon. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

OLD BUSINESS

- A. Update on Petition Article to “Eliminate Hunting in Bells Neck Conservation Area - *discussion and possible vote*

Ms. Usowski stated that at the Conservation Commission meeting last week, the Commission agreed with Town Counsel that the land is under the care and custody of the Conservation Commission. She said there was a sportsman group present at their meeting who offered to do some clean up and better signage. She reported that the Commission decided that we really need to do some research as some of the parcels may have been given to the Town with the provision that hunting is to be allowed on those parcels. She noted that she and a member of the Commission will be reviewing the deeds. She stated that they are interested in the opinion of the public at Town Meeting and make take this up at a later date at an advertised public meeting. Mr. Kucha-Stone, petitioner, was confused why Thompsons Field could pass by Town vote but this could not but he agreed that research needs to be done. He asked the Board to pass an opinion as to whether they are in favor of the measure or not. Ms. Usowski responded that she didn't know why Thompsons Field was different but it was purchased with self-help funding which has very strict rules and regulations for no hunting. Mr. McManus moved to support the passage of Article 5 (Eliminate Hunting in Bells Neck Conservation Area). Mr. LaMantia seconded the motion and the motion carried by a 4-0-1 vote with Ms. Cebula abstaining from the vote. Ms. Cebula indicated that she did not have enough information.

- B. Letter to MassDOT regarding the Route 28 Pedestrian Improvement Project – *discussion and possible vote*

Mr. Hughes submitted some grammatical changes and noted that “No road layout alterations are expected” should be added to the last paragraph. The Board took questions and comments from Ms. Harder. The Board agreed to bring this item back.

NEW BUSINESS

- A. Zoning Articles for the Special Town Meeting – *discussion and possible vote*
1. STM Article 3 - Mixed Use Development
 2. STM Article 4 - Overlay Districts

Mr. Spitz noted that the Planning Board held the public hearing on these articles and there were no negative comments. He reported that the Planning Board approved the articles. Mr. McManus moved to accept and adopt Article 3 (Zoning Amendment – Mixed Use Development) of Special Town Meeting. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

Mr. McManus moved to accept and adopt Article 4 of the Special Town Meeting – Zoning Amendment Overlay Districts. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

- B. Town Administrator's Goals and Objectives/Evaluation Form – discussion

Chairman Ballantine asked the Board to submit their evaluations and said he would compile the comments. Mr. Hughes asked for another update on the goals. The Board discussed whether they would evaluate based on the goals or use the evaluation form. Mr. LaMantia stated that Mr. Clark's

evaluation should be based on only the goals. Ms. Cebula disagreed and stressed that there is much more that goes into management and they should also be measuring the success factors listed on the form. The consensus of the Board was to combine the evaluation based on both the form and the goals. Mr. Clark said he would submit a self-evaluation.

C. Budget Amendment #2 - *discussion and possible vote*

Mr. Clark outlined Budget Amendment #2. Mr. McManus moved to approve Budget Amendment #2. Mr. Hughes seconded the motion and the motion carried by a unanimous vote.

D. Harbor funding plan for Saquatucket Dock project - *discussion and possible vote*

Mr. Clark outlined his memo to the Board dated April 16, 2015 (see below) regarding the funding process to address the necessary improvements that need to be made at Saquatucket Harbor.

Town Meeting is going to be requested to begin the funding process of improvements to Saquatucket Harbor in terms of the water side design and construction of the new dock system, and then secondarily, the landside improvements including the soon to be finalized purchase of the Downey property. I have put together the attached plan that lays out a funding mechanism for the project and the ramifications of adopting such a plan.

The Town has two primary fee structures for the harbors, the first being the Waterways Improvement and Maintenance Fund that raise revenue from moorings and half of the boat excise fees. This funding source can be expended after revenues are received by Administration. The second funding source is the Waterways Capital Improvement Receipts Reserve Fund which is funded by the Waterways User Capital Fee. This fee is subject to Town Meeting appropriation on an annual basis. The concept is to fund entirely the Wychmere grant match that was approved at last year's Town Meeting in the amount of \$478,400 of matching funds from the Waterways Improvement and Maintenance Fund.

This year, Town Meeting will be asked to fund the Saquatucket Dock replacement design totaling \$500,000 to be funded over five years. The recommendation in this regards is to fund one third of the total by the Waterways Improvement and Maintenance Fund Fees. The remaining two thirds of the borrowing would be funded by debt exclusion which is currently on the ballot. This process of one thirds being funded by fees and two thirds being funded by a debt exclusion would then carryover into the construction portion of the project, which is estimated at this time to be \$7 million, and to be borrowed over a 20 year period of time. The scenario shown attached is a worst-case scenario and does not take into account any grants or savings that could be realized by a competitive bid environment.

The landside renovations for the Saquatucket Harbor projects slated to begin in FY 18 would be funded in total by debt exclusion.

The attached funding plan does have a few caveats. First the total of the fee amounts from the Waterways Improvement and Maintenance Fund moorings portion would have to increase from current levels of \$80,000 per year up to \$100,000 during FY 17. Currently, the Waterways Improvement and Maintenance Fund fees include one half of the boat excise fees collected of approximately \$25,000 per year. This revenue would be retained in the fund

separately to be used for small capital and maintenance projects related to the harbors and not be dedicated as a funding source for the debt service. The Waterways Capital Improvement receipts reserved funds that generate approximately \$75,000 per year would also have to be increased up to \$100,000 per year during FY 17. These funds would be dedicated for the debt service on harbor improvements as outlined above. The plan does also show that by FY 2020, in order to offset the design and construction costs, both funds would have to be utilized towards debt service.

He noted that if the Board is in agreement with this plan, then the motions for Town Meeting will be adjusted accordingly. The Board took comments from Mr. Rendon and Mr. Hart. Mr. Clark restated his recommendation that one third of the \$500,000 be funded from the 2 fees (being paid by the boat owners) and then the two thirds would be funded from the debt exclusion. Mr. Hughes moved to approve the one third / two thirds funding as suggested for the article for Town Meeting for \$500,000 for the design. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

E. Wastewater report /recommendation for funding - *discussion and possible vote*

The Board briefly discussed the report and agreed to bring back for broad discussion. No action was taken. Chairman Ballantine said we should go ahead and schedule a meeting for Mr. Hughes and Mr. LaMantia to meet with Chatham.

TOWN ADMINISTRATOR'S REPORT

Mr. Clark reported that the deadline for applications for Water Superintendent is Thursday and the deadline for applications for Police Chief is Friday. He further noted that the Water Department won a water quality award.

SELECTMEN'S REPORT

A. Town Meeting preparation

Chairman Ballantine said he would be assigning articles for Town Meeting. Mr. Hughes noted that he is still interested in using the display software that Arlington uses and he would like to share the information with the Finance Director and get his opinion.

ADJOURNMENT

The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Ann Steidel
Recording Secretary

Ann Steidel

From: Christopher Clark
Sent: Tuesday, April 21, 2015 11:11 PM
To: Ann Steidel
Subject: Fwd: for the records of Apr 21 BOS meeting

Please include in minutes

Sent from my iPhone

Begin forwarded message:

From: Paula Myles <carefulhands@earthlink.net>
Date: April 18, 2015 at 11:03:18 AM EDT
To: Undisclosed recipients;
Subject: for the records of Apr 21 BOS meeting

163 Main Street, Harwich

MA 02645

April 18, 2015

Dear Mr Clark, Mr Ballantine, Ms Cebula, Mr Hughes, Mr LaMantia and Mr McManus:

**I ask that this letter be read into the records of the April 21 BOS meeting.
Concerning the proceedings of last week's meeting, I have questions.**

Town Administrator Chris Clark has said " some West Harwich residents have pointed to improvements being made in Dennis and asked if the project could extend to the Harwich side of the intersection." I have to wonder if those anonymous people have looked at the unsightly Dennis "improvements"... the widened roads, concrete berms and massive bridges that block their view.

I wonder if they understand what Selectman Angelo LaMantia has pointed out... that the same "Complete Streets" standards that mandated Dennis' overbuilt urban construction would define any Harwich project that receives TIP funding.

I hope they heard our highway director, Lincoln Hooper say that "Complete Streets" standards, now being applied more frequently to road projects across the state, are " driving communities away from TIP funding programs."

Mr Clark and the Board know that last May Harwich voters refused TIP funding for Rte 124 because the plans were inappropriate and were made without public involvement. They know that in recent weeks, townspeople have written, asking for more information about the plans for Rte 28 before any commitments were made. So we're astounded that the Board has acted so quickly to pass a motion approving an

agreement with VHB and entering into a joint project with Dennis, which would be TIP-funded, requiring 'Complete Streets' standards.

We don't understand why the Board has chosen to contract once again with VHB, Inc. when just one year ago, that same firm fell so notably short of Harwich's needs and expectations. We're well aware of the trouble and expense our town might have avoided if VHB had performed with transparency, accuracy and promptness.

Route 28 in Harwich is wide and scenic, a gateway to our town by which visitors judge us. It's the face of our town which sets our mood as we travel about the day's business. It deserves our care and protection. So we wonder why we'd ever trust its future to VHB and to the town of Dennis, whose low standards have already been so clearly demonstrated.

Sincerely
Paula Myles

Related Documents 4/21/15 BOS Meeting

- 01 Agenda.pdf
- 02 Minutes - March 23.pdf
- 03 Minutes - March 30.pdf
- 04 Application for Alzheimer's Walk permit.pdf
- 05 Application for Common Vic Lic - Philbricks.pdf
- 06 Summer Concert Series.pdf
- 07 STM Article -Bells Neck Conservation Area.pdf
- 08 Route 28 Pedestrian Improvement Project.pdf
- 09 STM Zoning Articles.pdf
- 10 TA Goals & Objectives.pdf
- 11 Evaluation Form.pdf
- 12 Budget Amendment #2.pdf
- 13 Funding plan for Saquatucket Dock Project.pdf
- 14 Wastewater Cost Recovery Model.pdf
- 15 TA Report - Revised Police Chief Job Description.pdf